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<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> Under 37 CFR 1.97(b), (c), or (d)			Docket No. <b>YOR920040098US1</b>
In re Application of: <b>Liu, et al.</b>			
Serial No. <b>10/849,357</b>	Filing Date <b>May 19, 2004</b>	Examiner	Group Art Unit <b>2111</b>
Title: <b>METHODS AND APPARATUS FOR AUTOMATIC SYSTEM PARAMETER CONFIGURATION FOR PERFORMANCE IMPROVEMENT</b>			

Address to:  
Commissioner for Patents  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), but prior to the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by the statement or fee as indicated below.

**37 CFR 1.97(d)**

3. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), but on or before payment of the issue fee and is accompanied by the statement and fee as indicated below.

**Required Statements and/or Fees Under 37 CFR 1.97(c) or (d)**

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement. (37 CFR 1.97(e)(1))
- ☐ No item of information in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement. (37 CFR 1.97(e)(2))
- ☐ The fee set forth in 37 CFR 1.17(p). Please credit any overpayment or charge any insufficiencies to deposit account number 20-0782.

**37 CFR §1.704(d)**

4. ☐ Each item of information in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Dated: 10/7/04

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I certify that this document is being deposited on 10-8-2004 with the U.S. Postal Service as first class mail under 37 CFR §1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Barbara J. Jackson**

Typed or Printed Name of Person Mailing Correspondence



Substitute for form 1099B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

1

Application Number

10/849,357

Filing Date

May 19, 2004

First Named Inventor

Liu, et al

Group Art Unit

2111

Examiner Name

Attorney Docket Number

YOR920040098US1

Submission Date

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	C1	Boyan, et al., "Learning Evaluation Functions for Global Optimization and Boolean Satisfiability," J. Machine Learning Res., 1:77-112, 1998	
	C2	Diao, et al., "Using MIMO Feedback Control to Enforce Policies for Interrelated Metrics with Application to the Apache Web Server," Proc. Network Operations and Management Symposium, 2002	
	C3	Kirkpatrick, et al., "Optimization by Simulated Annealing," Science, 220(4598), 13 May 1983, 671-680	
	C4	Liu, et al., "Online Response Time Optimization of Apache Web Server," IWQoS 2003: 461-478	
	C5	McKay, et al., "A Comparison of Three Methods for Selecting Values of Input Variables in the Analysis of Output from a Computer Code," Technometrics, 21(2), May 1979, 239-245	
	C6	Raghavachari, et al., "The Deployer's Problem: Configuring Appliation Servers for Performance and Reliability," ICSE 2003, Portland, OR	
	C7	Romeijn, et al., "Simulated Annealing and Adaptive Search in Global Optimization," Probability in the Engineering and Informational Sciences, 8, 1994, 571-590	
	C8	Sha, et al., "Queueing Model Based Network Server Performance Control," Proc. 23 <sup>rd</sup> IEEE Real-Time Systems Symposium, 2002, 81-90	
	C9	Ye, et al., "A Recursive Random Search Algorithm for Large-Scale Network Parameter Configuration," SIGMETRICS'03, June 10-14, 2003, San Diego, CA, 196-205	
	C10	Zabinsky, et al., "Improving Hit-and-Run for Global Optimization," J. Global Optimization, 3:171-192, 1993	

Examiner

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.